

PAUL, HASTINGS, JANOFSKY & WALKER LLP
THOMAS E. GEIDT (State Bar No. 80955) tomgeidt@paulhastings.com
LAURA B. SCHER (State Bar No. 243754) laurascher@paulhastings.com
55 Second Street
Twenty-Fourth Floor
San Francisco, CA 94105-3441
Telephone: (415) 856-7000
Facsimile: (415) 856-7100

ORDER E-FILED 3/28/2008

Attorneys for Defendant
UNITED PARCEL SERVICE, INC.

M. VAN SMITH (State Bar No. 32007) mvsmith@sbcglobal.net
1696 Mendenhall Drive
San Jose, CA 95130
Telephone: (408) 364-1062
Facsimile: (408) 273-6496

Attorney for Plaintiffs
JEFFREY GIPPETTI, MANUAL ALVARADO, THOMAS DAVID BANBURY
and THOMAS ROBERT GAZAY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
(San Jose Division)

JEFFREY GIPPETTI, MANUAL
ALVARADO, THOMAS DAVID
DANBURY, THOMAS ROBERT
GAZAY,

Plaintiffs,

vs.

UNITED PARCEL SERVICE, INC., a
corporation, et al.,

Defendants.

CASE NO. C-07-00812 RMW

**STIPULATION CONTINUING HEARING
ON MOTION TO COMPEL
PRODUCTION OF DOCUMENTS;
DECLARATION OF LAURA B. SCHER;
AND ~~PROPOSED~~ ORDER**

Date: April 25, 2008
Time: 9:00 am
Courtroom: No. 6, 4th Floor
Judge: Hon. Ronald M. Whyte

1 WHEREAS Plaintiff noticed a Motion to Compel Production of Documents for
2 April 25, 2008, at 9:00 a.m. before Judge Ronald M. Whyte;

3
4 WHEREAS Plaintiff's counsel did not confer with Defendant's counsel to
5 determine the proposed hearing date as required under the San Jose General Standing Order,

6
7 WHEREAS Defendant's counsel is unavailable for a hearing on April 25, 2008,
8 due to previously scheduled out of town commitments, and

9
10 WHEREAS the parties understand that Magistrate Judge Howard R. Lloyd handles
11 discovery matters assigned to Judge Whyte and that Magistrate Judge Lloyd hears civil motions
12 on Tuesdays at 10:00 a.m.,

13
14 IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES THAT the
15 hearing on Plaintiff's Motion to Compel the Production of Documents is continued from Friday,
16 April 25, 2008, at 9:00 a.m. to Tuesday, April 29, 2008, at 10:00 a.m.

17
18 DATED: March 26 2008

PAUL, HASTINGS, JANOFSKY & WALKER LLP

19 BY: Laura Scher
20 LAURA B. SCHER

21 Attorneys for Defendant
22 UNITED PARCEL SERVICE, INC.

23 DATED: March 26, 2008

24 M. Van Smith
25 M. VAN SMITH

26 Attorney for Plaintiffs
27 JEFFREY GIPPETTI, MANUAL ALVARADO,
28 THOMAS DAVID BANBURY and THOMAS
ROBERT GAZAY

DECLARATION OF LAURA B. SCHER

I, Laura B. Scher, declare:

1. I am an attorney at law licensed to practice before the Courts of the State of California and before this Court. I am an associate with the law firm of Paul, Hastings, Janofsky & Walker LLP ("Paul Hastings"), attorneys for Defendant United Parcel Service, Inc. If called as a witness, I would and could competently testify thereto to all facts within my personal knowledge except where stated upon information and belief.

2. Plaintiff noticed a Motion to Compel Production of Documents for April 25, 2008, at 9:00 a.m. before Judge Ronald M. Whyte.

3. Plaintiff's counsel did not confer with Defendant's counsel to determine the proposed hearing date.

4. Defendant's counsel is unavailable for a hearing on April 25, 2008, due to previously scheduled out of town commitments.

5. The parties understand that Magistrate Judge Howard R. Lloyd handles discovery matters assigned to Judge Whyte and that Magistrate Judge Lloyd hears civil motions on Tuesdays at 10:00 a.m.

6. The only previous time modifications in the case were (1) the continuance of the Motion for Severance of Actions, or in the Alternative, For Separate Trials of Defendant United Parcel Service, Inc., originally noticed for September 7, 2007, until October 5, 2007; and (2) the stipulation by the parties and Court order to extend the time to hold a Case Management Conference from October 5, 2007, to January 4, 2008.

7. The parties do not request that the continuance of the hearing on Plaintiff's Motion to Compel the Production of Documents from Friday, April 25, 2008, at 9:00 a.m. to Tuesday, April 29, 2008, at 10:00 a.m. alter the remaining schedule for the case.

I declare under penalty of perjury under the laws of the State of California and the United States that the foregoing is true and correct.

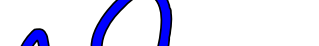
Executed this 26th day of March, 2008, at San Francisco, California.

Laura B. Scher
LAURA B. SCHER

~~PROPOSER~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: March 28, 2008


HONORABLE ~~XXXXXXXXXXXX~~
HOWARD R. LLOYD

LEGAL US W # 58510726.1